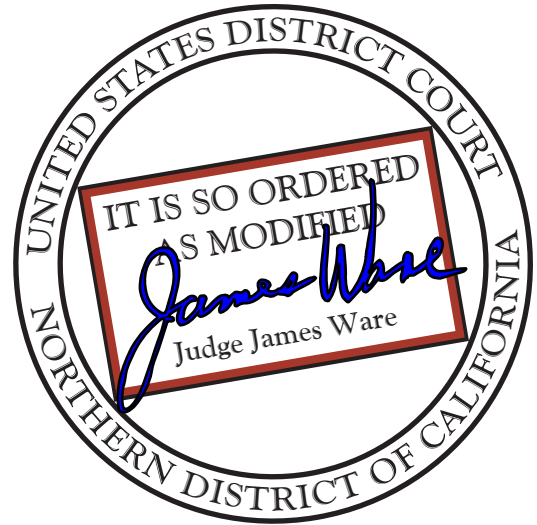


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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

| | | |
|---|---|---------------------------------|
| AMERICAN CHEMICAL SOCIETY, AMERICAN |) | Civil Case No. C 06 4414 JW HRL |
| INSTITUTE OF PHYSICS, BLACKWELL |) | |
| PUBLISHING, INC., ELSEVIER, INC., INFORMA |) | STIPULATED JUDGMENT AND |
| UK LTD., INFORMA USA, INC., OXFORD |) | [PROPOSED] ORDER THEREON |
| UNIVERSITY PRESS, SPRINGER SCIENCE AND |) | |
| BUSINESS MEDIA, LLC, WILEY PERIODICALS, |) | |
| INC., and WILEY-LISS, INC., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| COMMAX TECHNOLOGIES, INC., |) | |
| COMMAX WORLDWIDE, HENRY SHIOU-MING |) | |
| CHEN, DAPHNE L. CHEN, LIANG-WANG HOW, |) | |
| KUO REUIH PAN, and SUNNY CHEN YOUNG, |) | |
| |) | |
| Defendants. |) | |

1 Plaintiffs American Chemical Society, American Institute of Physics, Blackwell
 2 Publishing, Inc., Elsevier, Inc., Informa UK Ltd., Informa USA, Inc., Oxford University Press,
 3 Springer Science and Business Media, LLC, Wiley Periodicals, Inc. and Wiley-Liss, Inc.
 4 (“Plaintiffs”) and Defendants Commax Technologies, Inc., Henry Shiou-Ming Chen, Daphne L.
 5 Chen, Liang-Wang How, Kuo Rueih Pan and Sunny Young, and Henry Shiou-Ming Chen and
 6 Daphne L. Chen in their capacities as trustees of the Shiou-Ming Henry Chen and Daphne Li-
 7 Ming Chen 1993 Revocable Living Trust (“Defendants”), through their undersigned counsel,
 8 hereby stipulate and move this Court for entry of judgment as follows:

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

- 10 1. The Plaintiffs and Defendants have entered into a Settlement Agreement to resolve
 11 this action.
- 12 2. Defendants Henry Shiou-Ming Chen and Daphne L. Chen are hereby enjoined, for a
 13 period of five (5) years from the date of this Judgment, from placing any subscription
 14 order with any Plaintiff whether in their own names or any other name real or
 15 imagined, or purchasing any of the Plaintiffs’ publications whether for themselves or
 16 on behalf of any other person or entity, real or imagined, other than from a bookstore
 17 or other retail vendor.
- 18 3. Defendants Henry Shiou-Ming Chen and Daphne L. Chen are hereby enjoined, for a
 19 period of five (5) years from the date of this Judgment, from joining or attempting to
 20 join any membership organization associated with any Plaintiff whether in their own
 21 names or in the names of any other person or entity, real or imagined.
- 22 4. After the expiration of such five-year period, Defendants Henry Shiou-Ming Chen
 23 and Daphne L. Chen are hereby enjoined from placing any journal subscription order
 24 with any Plaintiff other than on behalf of a *bona fide* institutional customer whose
 25 identity is fully disclosed to the Plaintiff concerned.
- 26 5. The Preliminary Injunction previously entered in this action by Order dated May 15,
 27 2009 (Docket No. 258) is hereby dissolved and no longer has any force or effect.
 28 Plaintiffs shall take all actions necessary, including recording appropriate documents

1 with the Santa Clara County Recorder's Office, to provide notice that the Preliminary
2 Injunction no longer has any force or effect and that the Notice of Pending Action
3 recorded with regard to property located at 770 Josina Avenue, Palo Alto, CA is
4 withdrawn.

5 6. In the event of a dispute arising out of the Settlement Agreement, any party may
6 file a breach of contract action in a court of competent jurisdiction to enforce the Settlement
7 Agreement.

8 Respectfully submitted,

9 KOTIN, CRABTREE & STRONG, LLP

10 Dated: July 17, 2009

11 /s/ William S. Strong

12 William S. Strong, Esq.

13 Attorneys for Plaintiffs

14 AMERICAN CHEMICAL SOCIETY, AMERICAN
15 INSTITUTE OF PHYSICS, BLACKWELL
16 PUBLISHING, INC., ELSEVIER, INC., INFORMA
17 UK LTD., INFORMA USA, INC., OXFORD
18 UNIVERSITY PRESS, SPRINGER SCIENCE
19 AND BUSINESS MEDIA LLC, WILEY
20 PERIODICALS, INC., and WILEY-LISS, INC.

21 GCA LAW PARTNERS LLP

22 Dated: July 17, 2009

23 /s/ Kimberly Donovan

24 Kimberly Donovan

25 Attorneys for Defendants

26 COMMAX TECHNOLOGIES, INC.,
27 HENRY SHIOU-MING CHEN, DAPHNE L.
28 CHEN, LIANG-WANG HOW, KUO RUEIH PAN,
and SUNNY YOUNG

*** ORDER ***

The Clerk shall close this file.

SO ORDERED: 

James Ware

United States District Court Judge

Date: July 29, 2009